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10/035,557	11/07/2001	Marcus Davidsson	042933/319585	3599
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ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			HUYNH, SON P	
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			2623	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/20/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/035,557	Applicant(s) DAVIDSSON, MARCUS	
	Examiner Son P. Huynh	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 9, 15-21, 24, 30-31, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,532,589 – herein after referred to as '589) in view of Barnett et al. (US 6,369,840 B1) –hereinafter referred to as Barnett.

Regarding claim 1, '589 discloses a method comprising:

accessing an electronic calendar capable of storing a plurality of event entries at a plurality of times, the electronic calendar configured to stored broadcast event entries related to scheduled broadcast programs (interpreted as accessing calendar-based

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television planner (herein after referred to as TV planner), from an electronic program guide. The TV planner capable of storing a plurality of event entries related to scheduled broadcast programs at a plurality of times such as remind, record, pay per view, etc. of programs at different times on the TV planner – see col. 7, line 6-col. 8, line 60, figures 7-10);

displaying the accessed electronic calendar on an electronic display (interpreted as displaying TV planner on monitor screen – figures 1, 7,9-10; col. 7, line 6-col. 8, line 60);

accessing an electronic program guide, the electronic program guide listing a plurality of scheduled broadcast programs, and comprising information associated with each of the plurality of scheduled broadcast program (interpreted as generating an electronic program guide (EPG), the EPG listing a plurality of scheduled broadcast programs such as programs to be broadcast in future, pay per view programs, etc., each program comprises information such as program title, channel, broadcast time, etc. – see col. 5, lines 5-62, col. 6, line 47-col. 7, line 23, figures 1, 5, 7-8);

displaying the accessed electronic program guide on the electronic display (interpreted as displaying EPG on the monitor screen – see include, but are not limited to, figures 1, 7-8).

'589 further discloses selecting at least one of the plurality of scheduled broadcast program in the accessed electronic program guide (interpreted as selecting a program on the EPG screen for watch, recording, or set a reminder – see figures 1, 8, col. 6, line 55-col. 7, line 23).

'589 also discloses the TV planner is accessed from the electronic program guide (col. 7, lines 31-66), the TV planner allows the user to easily view and understand the schedule of selected TV activity, include timer schedule events, events scheduled for recording, and scheduled pay per view selections, etc. The TV planner has a plurality of entries (e.g. boxes for July 17 – figures 9-10), each broadcast event entry containing information for a corresponding selected program (e.g. program title, channel, time) being stored in the TV planner at a time corresponding to broadcast time of the selected program – see figures 9-10, col. 8, lines 11-20). However, '589 does not specifically disclose the information of the selected broadcast program is transferred from the electronic program guide to the TV planner as at least one new entry, the electronic calendar configured to stored user-generated event entries related to scheduled non-broadcast-related events for at least one user.

Barnett^{discloses} transferring information, associated with the at least one selected broadcast program, from the electronic program guide to the accessed electronic calendar as at least one new entry (transferring information such as Berkeley vs. Stanford, or San Francisco 49er vs. New Orleans Saints, etc. from the event directory, or favorite event to the electronic calendar when the user check the box of the event and “Add” icon to add the information as new broadcast event entry – see include, but are not limited to, figures 7a-13). Barnett also discloses the electronic calendar configured to store broadcast event entries related to scheduled broadcast programs (e.g., Berkeley vs. Stanford, or San Francisco 49er vs. New Orleans Saints, etc. – see include, but are not limited to, figures 12-13) and user-generated event entries related to

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scheduled non-broadcast-related event for at least one user (e.g., Lunch with Rebecca, or weekly 1-1 w/James/weekly status meeting – see include, but are not limited to, figures 12-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '589 to use the teaching as taught by Barnett in order to at least minimize the errors (col. 1, lines 51-67) or to allows a higher level of flexibility in the way events can be imported and viewed (see include, but are not limited to, col. 2, lines 25-48, col. 13, lines 39-47).

Regarding claim 2, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. '589 further discloses TV planner is accessed from electronic program guide (col. 7, lines 1-66) and once the viewer selects a particular program (e.g. record/purchase), the viewer can display TV planner on the screen without electronic program guide (figures 8-10). Thus, the electronic program guide is removed from the display upon selection of the at least one of the plurality of broadcast program (interpreted as after the viewer selects a program on the electronic program guide to purchase/record/or remind, the TV planner can be displayed on the screen (without the electronic program guide) and allows viewer to view the activities – see figures 9-10). '589 also discloses the TV planner comprises return button returns a user to home, or the last screen that they were viewing prior to entering the TV planner (col. 8, lines 3-10), the TV planner also comprises go to guide button that take the viewer to the electronic program guide (col. 8, lines 3-60). It is obvious that a portion of the displayed electronic calendar (TV planner) is replaced on the display by the electronic program

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guide when the electronic program guide is access (e.g. press EPG key on the remote control – col. 5, lines 20-35, or select “go to guide button” on the TV planner) so that the viewer can see the information on the program guide easily.

Alternatively, Barnett further discloses at least a portion of the displayed electronic calendar is replaced on the display by the electronic programming guide when the electronic program guide is accessed (e.g., when the calendar is displayed and the user select “Event directory” icon, or “Favorite icon”, a lists of items associated with the selected Event Directory icon, or Favorite Events icon replace the calendar – see include, but are not limited to, figures 7a-13), and the electronic program guide is remove from the display upon selection of the at least one of the plurality of broadcast programs (the user selects a broadcast program (e.g. event 903) to add into the calendar and then view the calendar – see include, but are not limited to, figures 7a-13).

Regarding claim 3, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. The additional limitation of “the scheduled broadcast program listed in the electronic program guide are television programs” is interpreted as broadcast programs displayed on the EPG are television programs such as movies, news, sports, etc. (see '589, col. 5, line 34-col. 6, line 7, col. 6, line 61-col. 7, line 23; or see Barnett, figures 6-11).

Regarding claim 4, '589 in view of Barnett discloses a method as discussed in the rejection of claim 3. The additional limitation of “the information transferred from the

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electronic program guide to the calendar comprises at least one of a name, start time, duration, and channel number of the corresponding at least one selected television program" (see '589, figure 10, or Barnett, figures 7a-13).

Regarding claim 5, '589 in view of Barnett discloses a method as discussed in the rejection of claim 3. Barnett further discloses the information transferred comprises an identification (e.g. title, time, etc.) of the at least one selected broadcast program (see figures 8-13).

Regarding claim 6, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. The additional limitation of "displaying one of a reminder and recording icon in the electronic calendar when a broadcast program for which broadcast event entry has been stored in the electronic calendar is tagged for one of a reminder and a recording function, respectively) is met by displaying "remind" icon or "record" icon in the calendar month/day when a broadcast program is selected for reminding or for recording – see '589, figures 9-10, col. 8, lines 10-60).

Regarding claim 9, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. '589 further discloses a remote control that allow user to select programs through the electronic program guide – col. 5, lines 30-35); a cursor 928 is displayed as a box outlining a day of the TV planner, and the cursor 928 is under control

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of the user via the remote device; the cursor is used to select the day view TV planner (col. 8, lines 25-30).

Alternatively, Barnett also discloses selecting at least one of the plurality of scheduled broadcast programs in the accessed electronic programming guide comprises highlighting a listing in the accessed electronic programming guide corresponding to the at least one selected program (e.g. user checks the icon associated with the program – see include, but are not limited to, figures 8-11).

Regarding claim 15, the limitations of a multimedia device correspond to the limitations of the method as claimed in claim 1, and are analyzed as discussed in the rejection of claim 1, wherein “data storage device...” is read on any storage device/user program record/purchase database that stores an TV planner (see '589, figures 2, col. 4, line 58-col. 5, line 15, col. 7, line 1-22, figures 8-10) or alternatively is read on database servers layer that stores electronic calendar information (see Barnett, figures 1-2), the “first accessing component configured to access the electronic calendar...” is read on demultiplexer or access device connected memory/database that stored TV planner (see '589 include, but not limited to, figures 2, 8-10), or alternatively read on component configured to access calendar information (see include, but are not limited to, Barnett, figures 1-2), “second accessing component...” is read on demultiplexer, SRAM 36, IC 34 that access program guide data (see '589, col. 5, lines 1-15, lines 37-62) or alternatively read on the component configured to access event directory, favorite event (see Barnett, include, but are not limited to, figures 1-2, 7a-7b), “a processor coupled to the

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first and second accessing means and the data storage device...” is interpreted as CPU coupled to data buffer 51, demultiplexer, DRAM, EEPROM, ROM, DRAM, etc. for control processing to the data and performs functions according to command input by the user (see '589, figures 2, 8-10, col. 4, line 58-col. 5, line 15; col. 6, lines 7-53).

Regarding claim 16, '589 in view of Barnett discloses an apparatus as discussed in the rejection of claim 15. '589 further discloses output means for generating a video output signal capable of driving a monitor (interpreted as demultiplexer, MPEG 25, NTSC 27 for generating a video output signal to a monitor 4 – figures 1-2,7-8, col. 4, lines 33-44; col. 5, lines 1-15), the video output signal being capable of displaying on the monitor the electronic calendar and the electronic program guide (interpreted as output signal capable of displaying on the monitor screen the TV planner and the television program guide – figures 7-10).

Regarding claims 17-21 and 24, the additional limitation of the multimedia device correspond to the additional limitations of the method as claimed in claims 2-6, 9, and are analyzed as discussed with respect to the rejection of claims 2-6 and 9.

Regarding claims 30-31, the additional limitation “accessing the electronic programming guide comprises accessing the electronic programming guide from the electronic calendar by selecting an icon from the electronic calendar” is read on selecting “return” or “go to guide” in TV planner (see '589, figures 9-10) or is alternatively read on

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selecting Favorite Event icon, or Event directory icon of the Calendar – see Barnett, figures 12-13).

Regarding claims 34-35, the limitations as claimed correspond to the limitations as claimed in claims 15, 31, and are analyzed as discussed with respect to the rejection of claims 15 and 31.

4. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl in view of Barnett as applied to claim 1 or claim 15 above, and further in view of Adler et al. (US 6,675,356 B1).

Regarding claim 32, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. Barnett further discloses the electronic calendar is configured to store event entries of a plurality of users, the method further comprising:

storing user information (e.g., user account information, user profile) with at least one of the event entries in the electronic calendar (see include, but are not limited to, col. 2, line 42-col. 3, line 23, col. 5, line 44-col. 6, line 22). However, '589 in view of Barnett does not explicitly disclose the user information providing an indication of at least one user with which the event entry is associated.

Adler et al. discloses storing user information with at least one of the event entries in the electronic calendar, the user information providing an indication of at least one user (e.g. John, Sylvia, or Henry) with which the event entry is associated (e.g.

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John: Dentist appointment; Henry: meeting with Bob, etc. – see include, but are not limited to, figure 12, col. 14, line 53-col. 15, line 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '589 in view of Barnett to use the teaching as taught by Adler in order to keep track of event entry easily.

Regarding claim 33, the additional limitations as claimed correspond to the additional limitations as claimed in claim 32, and are analyzed as discussed with respect to the rejection of claim 32.

5. Claims 7 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl in view of Barnett et al. as applied to claim 6 or 21 above, and further in view of Ellis et al. (US 2005/0283810 A1).

Regarding claim 7, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. '589 further discloses an entry has been stored in the electronic calendar is tagged for one of a reminder and a recording function, respectively (figures 9-10). However, neither reference specifically disclose the entry has been stored is tagged in the electronic program guide.

Ellis disclose an entry has been stored is tagged in the electronic program guide for a recording function (interpreted as program selected to be recorded is tagged so that the programs selected to be recorded displayed with an icon, different color, a

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different font, etc. indicating them as to be recorded – see paragraphs 0125 –0126, figures 11a-11c). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '589 in view of Barnett with the teaching as taught by Ellis in order to allow user to identify the program selected to be recorded in the program guide.

Regarding claim 22, the additional limitations of the multimedia device as claimed correspond to the additional limitations of method as claimed 7, and are analyzed as discussed with respect to the rejection of claim 7.

6. Claims 8, 10-14, 23, 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,532,589 – herein after referred to as '589) in view of Barnett et al. (US 6,369,840), and further in view of Yuen et al. (6,430,359).

Regarding claim 8, '589 in view of Barnett discloses a method as discussed in the rejection of claim 1. Barnett also discloses a search field (not shown) is provided to allow interactive searching of the event directory (col. 10, lines 11-12). However, '589 in view of Barnett does not specifically disclose entering a code for a selected program, the code uniquely identifying the selected program.

Yuen discloses selecting program in the electronic program guide comprises entering a code for a selected program, the code uniquely identifying the selected program (interpreted as select a program comprises entering compressed code or G-

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code, the compressed code or G-code uniquely identifying the selected program – see include, but not limited to, col. 16, lines 5-41, figure 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '589 in view of Barnett to use the teaching as taught by Yuen in order to enter information of selected program simpler, faster and less error-prone (see col. 2, lines 24-31).

Regarding claim 23, the additional limitations of the multimedia device as claimed correspond to the additional limitations of the method as claimed in claim 8, and are analyzed as discussed with respect to the rejection of claim 8.

Regarding claim 10, the method as claimed is broader than the method as claimed in claims 1 and 8. Therefore, the limitations that correspond to the limitations of claims 1 and 8 are analyzed as discussed with rejection of claims 1 and 8.

Regarding claims 11-13, the additional limitations as claimed correspond to the additional limitations as claims in claims 3-4, 6, and are analyzed as discussed with respect to the rejection of claims 3-4, 6.

Regarding claim 14, '589 in view of Barnett discloses a method as discussed in the rejection of claim 13. '589 further discloses an entry has been stored in the electronic calendar is tagged for one of a reminder and a recording function, respectively (figures

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9-10). However, neither reference specifically disclose the entry has been stored is tagged in the electronic program guide. Official Notice is taken that entry of selected program is tagged in an electronic program guide is well known in the art. For example, on an electronic program guide, displaying program selected to be recorded with an icon, different color, or different font to allow the selected program to be identified. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '589 in view of Barnett and Yuen with the well-known teaching in the art in order to allow user to identify the program selected to be recorded in the program guide.

Regarding claim 25, the multimedia as claimed is broader than the multimedia as claimed in claims 15 and 23. Therefore, the limitations that correspond to the limitations of claims 15 and 23 are analyzed as discussed with rejection of claims 15 and 23. The "code receiving means for receiving code..." is read on either the remote control device or command signal receiver 30 – see Yuen – figures 1,3, col. 16, lines 5-61).

Regarding claims 26-29, the additional limitations as claimed correspond to the additional limitations as claimed in claims 18-19, 21-22, and are analyzed as discussed with respect to the rejections of claims 18-19, 21-22.

Conclusion

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miller et al. (US 5,899,979) discloses method and system for automatically integrating scheduled work items onto an electronic calendar.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

April 13, 2007



SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER